

Summary of Transfer of Development Rights alternatives from other communities for consideration of Bolton Planning Board

MAPC 9/22/10

Westfield Transfer of Development Rights bylaw: Residential to Commercial transfers

Allows for transfer of residential development rights to business district (at a conversion rate of 1 dwelling unit yielding 2000 square feet of commercial space); also allows for increase in height limits and increase in percent lot coverage beyond base commercial regulations in order to allow for additional space resulting from TDR. Receiving area must have municipal water and sewer service.

Hadley Transfer of Development Rights bylaw: includes Alternative Method of Transactions

Emphasis here is on farmland preservation. Each acre of developable farmland that is preserved can be converted to 2000 square feet of commercial or industrial floor area, and a reduction in parking requirements, and an increase in allowable lot coverage for structures (there is no change to height limits). The bylaw also includes an Alternative Method for Transactions which consists of a payment to the town (to be used for later purchase of development rights on farmland) that is based upon the average value of purchased rights in the town in the past 3 years.

Hatfield Transfer of Development Rights: Using cash as TDR currency

Promotes transfer from agricultural areas to commercial and industrial areas where 1 development right converts to 2000 square feet of commercial/industrial development plus and increase in allowable percent building coverage. However, all transfers are by way of cash payment to the town, with the development right value based on per-acre assessed values of improved versus unimproved residential lands (with funds to be used by the town to purchase development rights).

Sunderland Special Resource Districts and TDR:

Agricultural, Critical Resource and Watershed Districts are included in the special resource districts. All new structures and all major residential developments are allowed only by special permit from the Planning Board. Submittals for major residential developments (defined as creation of 6 or more lots by subdivision or not) must include basic and alternative plans, one of which must be a flexible development proposal (cluster). Special Permits are granted if developments protect agricultural activity, scenic views, habitats, and fragile environmental resources. If this cannot be done the Board "may grant a special permit only upon the determination that non-development alternatives for utilization of the site have been reasonably pursued and found to be infeasible, including transfer of development rights or sale of land or rights to other organizations having land preservation purposes". Development rights may be transferred out of these resource districts to developments elsewhere in town, where the developments may be increased in scale by a factor of 2.

Natick Regional Center Overlay Districts – increasing density in exchange for Public Benefit amenities

In the Regional Center Highway Overlay District, increases beyond the base density Floor Area Ratio of .32 are allowed if compensating public benefits are provided. One way to meet the open space provisions is to provide cash payments to the town that are based upon the increased FAR obtained. For increases from .32 to .40 FAR, the contribution is \$22 per square foot of additional commercial space. This increases to a maximum of \$32 per square foot of additional space for FAR between .45 and .50. The community uses these funds to acquire open space for public use.